

Senate Bill No. 122

Passed the Senate June 6, 2001

Secretary of the Senate

Passed the Assembly July 19, 2001

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 18151, 18152, 18153, and 18253.5 of the Health and Safety Code, relating to mobilehomes, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 122, Dunn. Mobilehomes: ombudsman.

(1) Existing law establishes the position of Mobilehome Ombudsman within the Department of Housing and Community Development and requires the ombudsman to, among other things, refer any alleged violations of law or regulations within the department's jurisdiction to the Division of Codes and Standards.

This bill instead would require the ombudsman to provide assistance to complainants with any alleged violations of law or regulations within the department's jurisdiction that would be referred to the division, and would also require the ombudsman to, among other things, maintain and publicize a toll-free complaint telephone number and submit annual written reports to the appropriate committees of the Legislature regarding the number of calls and complaints.

(2) Existing law establishes the Mobilehome-Manufactured Home Revolving Fund, and provides that moneys in the fund are continuously appropriated to the department to carry out the Mobilehome-Manufactured Housing Act of 1980.

This bill would appropriate \$50,000 from the Mobilehome-Manufactured Home Revolving Fund to the department to support the functions of the Mobilehome Ombudsman.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 18151 of the Health and Safety Code is amended to read:

18151. (a) The position of mobilehome ombudsman is hereby established in the department.

(b) Except as provided in subdivision (c), the ombudsman shall provide assistance in taking complaints, and helping to resolve and



coordinate the resolution of those complaints, from the public relating to manufactured homes and mobilehomes, including, but not limited to, problems of titling and registration, installation, warranties, financing, other than financing by a supervised financial organization, as defined in Section 1801.6 of the Civil Code, sales, inspection of homes and parks, mobilehome accessories and improvements, and problems relating to the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code).

(c) The ombudsman shall not arbitrate, mediate, negotiate, or provide legal advice on mobilehome park rent disputes, lease or rental agreements, or disputes arising from lease or rental agreements, but may provide information on these issues.

(d) The ombudsman shall provide assistance to a complainant with any alleged violations of law or regulations within the department's jurisdiction that would be referred to the Division of Codes and Standards within the department.

(e) For purposes of this section, the term "public" includes, but is not limited to, mobilehome owners, mobilehome park residents, mobilehome park owners, and mobilehome park managers.

SEC. 2. Section 18152 of the Health and Safety Code is amended to read:

18152. The Governor shall designate a deputy director in the department to serve as the Mobilehome Ombudsman.

SEC. 3. Section 18153 of the Health and Safety Code is amended to read:

18153. (a) The Mobilehome Ombudsman shall establish procedures to deal with complaints, including the publication of complaint forms and written materials which shall be made available to the public informing them of the functions of the Mobilehome Ombudsman and providing information on manufactured homes and mobilehomes. The ombudsman shall maintain and publicize a toll-free complaint telephone number.

(b) The staff of the Mobilehome Ombudsman shall perform only the functions of the ombudsman's office, including but not limited to, taking complaints and calls, reviewing correspondence, providing information, and following through with complaints on complaint resolution. The ombudsman shall make it a priority for staff to look into and follow up on inquiries and complaints, rather



than simply referring complainants to other governmental offices or agencies.

(c) The ombudsman shall work with, and coordinate his or her efforts with, other divisions and sections of the department and with other agencies of state and local government.

(d) The Mobilehome Ombudsman shall submit a written report to the appropriate committees of the Legislature, including the Assembly Committee on Housing and Community Development, the Senate Committee on Housing and Community Development, and the Senate Select Committee on Mobile and Manufactured Homes, on the annual number of calls and complaints received by the ombudsman by category, including the number of complaints resolved and remaining unresolved by category, by December 31 of each even-numbered year.

SEC. 4. Section 18253.5 of the Health and Safety Code is amended to read:

18253.5. (a) The department shall provide to each mobilehome park licensed to operate under this part a sign in large boldface print, with the name, address, and telephone number of the mobilehome ombudsman designated under Chapter 9 (commencing with Section 18150) of Part 2. The sign shall be posted by the management in a conspicuous place in the mobilehome park clubhouse or, if there is no clubhouse, in another conspicuous public place within the mobilehome park.

(b) The enforcement of the posting of the ombudsman sign required by subdivision (a) may be accomplished by telephonic or written communication, or by site inspection in response to a specific complaint concerning the posting of the sign, by site inspection in response to a combination of complaints concerning the posting of the sign and other alleged code violations, or pursuant to the mobilehome park inspection program set forth in Section 18400.1.

(c) Notwithstanding any other provision of this part, a violation of this section is an infraction.

SEC. 5. The sum of fifty thousand dollars (\$50,000) is appropriated from the Mobilehome-Manufactured Home Revolving Fund to the Department of Housing and Community Development to support the functions of the Mobilehome Ombudsman pursuant to Chapter 9 (commencing with Section 18150) of Part 2 of Division 13 of the Health and Safety Code.



Approved _____, 2001

Governor

